

REMARKS/ARGUMENTS

The Applicants have carefully considered this application in connection with the Examiner's Action and respectfully request reconsideration of this application in view of the foregoing amendment and the following remarks.

The Applicants originally submitted Claims 1-25 in the application. In a previous response to a restriction requirement, the Applicants withdrew Claims 17-25. In previous responses to Examiner's actions, the Applicants canceled Claims 7, 11, and 17-25 and added new Claims 26-29, as well as subsequently canceled Claims 1-29 without prejudice or disclaimer and added new Claims 30-47. Thereafter, the Applicants canceled Claims 30-47 without prejudice or disclaimer, and added new claims 48-54. Presently, the Applicants have amended Claim 54 which was inadvertently numbered 55. Applicant has not added or canceled any claims. Accordingly, Claims 48-54 are currently pending in the application.

I. Rejection of Claims 48-53 and 55 under 35 U.S.C. §103

The Examiner has rejected Claims 48-53 and 55 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,798,073 to Lin *et al.* ("Lin") in view of U.S. Patent No. 6,331,482 to Honeycutt *et al.* ("Honeycutt"). Independent Claim 48 currently includes the elements, among others, of: (1) a metallization interconnect system; (2) a power bus located over the metallization interconnect system; and (3) a passivation layer overlying at least a portion of the

power bus. The Examiner asserts that Lin teaches or suggests many of these elements, but in fact Lin fails to disclose many of the elements that the Examiner relies upon Lin for.

The Examiner asserts that Lin discloses a metallization interconnect system overlying a substrate **410**, wherein the metallization interconnect system includes a first interconnect feature **422** and second interconnect feature **442** located within a dielectric layer **420** and **440**. Accordingly, features **422** and **442** are first and second interconnect features, and the dielectric layer is **420** and **440** combined. The Examiner then asserts that Lin discloses a power bus **442b** located over the metallization interconnect system. Thus, according to the Examiner feature **442b** is the power bus. The Examiner then asserts that a passivation layer **440** overlies at least a portion of the power bus **442b**. Likewise, the Examiner now acknowledges that Lin fails to disclose that the power bus comprises an alloy of copper. Nonetheless, the Examiner attempts to rely on the newly cited reference Honeycutt for this teaching or suggestion, and only this teaching or suggestion. Namely, the Examiner asserts that Lin, alone, teaches and suggests all the claim elements of independent Claim 48 with the sole exception of using an alloy of copper as a material for the power bus, which the Examiner relies on Honeycutt for.

The Applicants respectfully assert that the Examiner's interpretation of Lin is still incorrect. First, feature **440** is either the dielectric layer, as initially indicated by the Examiner on page 2 of his most recent Examiner's action, or is a passivation layer, as subsequently indicated by the Examiner on page 3 of his most recent Examiner's action. However, the same feature **440** of Lin cannot be both. Independent Claim 48 includes one element of a dielectric layer, as well as includes another element of a passivation layer. According to the pending claims, these are different layers,

thus forming two different features. Therefore, the Examiner cannot use the same feature (e.g., layer 440 of Lin) to teach or suggest two different features (e.g., the dielectric layer and the passivation layer) of the pending claims.

Second, the Examiner asserts that the metallization interconnect system includes at least a first interconnect feature 422 and a second interconnect feature 442. Thus, according to the Examiner those two features (e.g., features 422 and 422) collectively form at least a portion of the metallization interconnect system. The Examiner also asserts that feature 442b is the power bus. The pending claims, however, require that the power bus be located over the metallization interconnect system. In looking at Lin, however, the power bus feature 442b is not located over the metallization interconnect system comprising the first interconnect feature 422 and the second interconnect feature 442. Actually, the power bus feature 442b is in the same plane as the upper most portion of the metallization interconnect system (e.g., the second interconnect feature 442) of Lin, as is indicated below. Thus, in direct contrast to what the Examiner asserts, Lin does not disclose a power bus located over the metallization interconnect system, as is presently claimed.

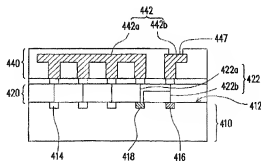


FIG. 4

For the foregoing reasons, among others, Lin fails to teach or suggest the aforementioned elements. Honeycutt, as applied by the Examiner, fails to correct the deficiencies of Lin. Thus, Lin, individually or in combination with Honeycutt, fails to teach or suggest the invention recited in independent Claim 48 and its dependent claims, when considered as a whole. The combination, must then, fail to establish a prima facie case of obviousness with respect to these claims. Claims 48-53, and 55 are therefore not obvious in view of the combination.

In view of the foregoing remarks, the cited references do not support the Examiner's rejection of Claims 48-53 and 55 under 35 U.S.C. §103(a). The Applicants therefore respectfully request the Examiner withdraw the rejection.

II. Conclusion

In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 48-53 and 55.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395.

Respectfully submitted,

HITT GAINES, P.C.

A handwritten signature in black ink, appearing to read 'Greg H. Parker', is written over the printed name.

Greg H. Parker
Registration No. 44,995

Dated: December 18, 2008

P.O. Box 832570
Richardson, Texas 75083
(972) 480-8800